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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/717,809 | 11/21/2000 | Joseph Mulavelil George | AUS9-2000-0551-US1 | 2104 |

7590 02/03/2004

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| EXAMINER |
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ROBINSON, GRETA LEE

| ART UNIT | PAPER NUMBER |
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2177

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/717,809

Applicant(s)

GEORGE ET AL.

Examiner

Greta L. Robinson

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11-15, 20-22 and 27 is/are rejected.
- 7) ☒ Claim(s) 6-10, 16-19 and 23-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-27 are pending in the present application.

Drawings

2. The drawings were received on November 17, 2003. These drawings are approved.

Response to Arguments

3. Applicant's arguments filed November 17, 2003 have been fully considered but they are not persuasive with respect to the prior art rejection. However, Applicant's response concerning the rejections cited under 35 USC 112 second paragraph overcomes the objection.

Regarding the prior art rejection citing Hattori et al. US patent 6,539,388 B1, Applicant states the following: The metadataindex of Hattori et al. is not similar to the metadata in the present invention in which the metadata provides information about limitations or conditions of the database. Hattori et al's metaindex is a type of abstract index into the database. In response to Applicant's argument the examiner respectfully disagrees, Hattori does teach claim 1. Hattori et al. teaches a metadataindex management system 440 that is a part of a management device 400 that manages definitions of various indicies as path descriptions used to access desired data and data correspondences between designated data and data storage positions [col. 17 lines 46-54]. The index management section manages a correspondance among a given index,

object and attribute data, a storage position table T30 is used for such management. Hattori teaches the claimed invention "retrieving metadata from the database, wherein the metadata indicates database limitations" Hattori et al's metaindex management section 440 manages a metaindex as index data and retrieves an object on the basis of a description (i.e. limitation) using the given metaindex [col. 18 lines 20-32; also note col. 17 lines 62-65]. Further, Hattori et al. teaches class definition of the type of access for a particular attribute [col. 18 lines 50-60]. Hattori et al. does teach the second and third elements of claim 1, "retrieving semantic information from a mapping repository, wherein the semantic information indicates a manner in which object attribute data is stored", note col. 17 line 61 through col. 18 line 4. Hattori et al. is concerned with how object attribute data is stored also note element 130, 110, T20 cover figure. Applicant's argument that the claim clearly recites both metadata information and semantic information are used when storing object attribute data does not appear in the claim, please note claim 1. With respect to claim 5, that Hattori et al. does not teach storing information using a markup language, in order to access and store the data in Hattori et al's system there must be some type of programming language in which to execute the function of storing data.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-5, 11-15, 20-22 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Hattori et al. US Patent 6,539,388 B1.

Regarding claim 1, **Hattori et al.** teaches a method for storing object attribute data in a database [abstract], the method comprising the steps of:

retrieving metadata from the database, wherein the metadata indicates database limitations [note: metaindex management section element 440 and database 310 figure 15; figure 21];

retrieving semantic information from a mapping repository, wherein the semantic information indicates a manner in which object attribute data is stored in the database [figure 16; figure 38; column 22 lines 4-28; col. 30 lines 19-26; col. 17 line 47 through col. 18 line 41].

Hattori et al. teaches a data storage and retrieval system comprising storage means for storing data belonging to a predetermined category and definition data describing definitions of a structure and presentation form of the data.

6. Regarding claims 2-5:

(claim 2) wherein the database limitations are selected from a group comprising constraints, field constraints, and/or size limits [see: interattribute constraint figure 21; col. 18 lines 38-41; col. 26 lines 5-29 col. 30 lines 20-26].

(claim 3) storing the metadata using markup language to identify the metadata [see: col. 31 lines 57-59; col. 32 lines 46-49].

(claim 4) wherein the semantic information provides a mapping between object attributes and records in a relational database [see: col. 32 lines 46-49].

(claim 5) storing the semantic information using markup language to identify the semantic information [see: col. 31 lines 57-59; col. 32 lines 46-49].

7. The limitations of claims 11-15, 20-22 and 27 parallel method claims 1-5; therefore they are rejected under the same rationale.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Baer US Patent 6,035,303

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta L. Robinson whose telephone number is (703) 308-7565. The examiner can normally be reached on Mon.-Fri. 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



GRETA ROBINSON
PRIMARY EXAMINER

Greta Robinson
Primary Examiner
January 30, 2004